

## REMARKS

Claims 21-27 and 30-49 are in this application. Claims 21-23 and 34-49 are withdrawn. Claim 33 is allowed. Claims 1-20, 28 and 29 are canceled.

Claim 24 has been amended to delete the ECACC Accession Number and to include SEQ ID NO:1.

A declaration stating that the deposit of ECACC Accession Number 0412101 was made at an acceptable depository and that the following criteria have been met:

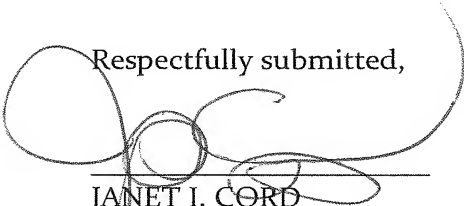
- (a) during the pendency of this application, access to the invention will be afforded to one determined by the Commissioner to be entitled thereto;
- (b) all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon grant of the patent;
- (c) the deposit will be maintained for a term of at least thirty (30) years and at least five (5) years after the most recent request for the furnishing of a sample of the deposited material;
- (d) a viability statement in accordance with the provisions of 37 CFR 1.807; and
- (e) the deposit will be replaced should it become necessary due to inviability; contamination or loss of capability to function in the manner described in the specification.

will follow.

In addition, claims 25-27 and 30-32 have been amended to replace "vaccine" with --immunogenic composition--. Thus, it is respectfully requested that the rejections under 35 USC 112, first paragraph be withdrawn.

It is submitted that this application is in condition for allowance and favorable consideration is respectfully requested.

If any fees are required, they may be charged to deposit account 12-0425.

Respectfully submitted,  
  
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